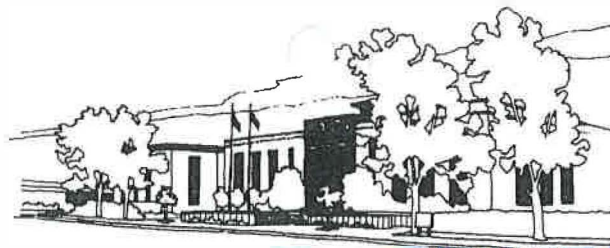
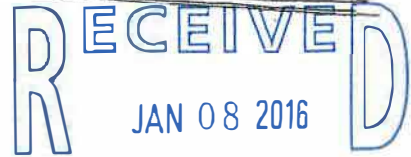


City of San Leandro

Civic Center, 835 E. 14th Street
San Leandro, California 94577
www.sanleandro.org



M. Weber



SAN FRANCISCO BAY CONSERVATION
& DEVELOPMENT COMMISSION

January 4, 2016

Mr. Jeff Tepper
1487 Cherry Avenue
San Jose, California 95125

Subject: Heron Bay Homeowners Association Kiosk Proposal dated September 16, 2015

Dear Mr. Tepper:

Thank you for presenting the most recent iteration of the proposal referenced above. Staff reviewed and evaluated the proposal interdepartmentally and with BCDC staff. As stated in the July 16, 2015 letter regarding a similar proposal, in order to meet BCDC requirements to enhance Bay Trail access, the City will be providing on-street parking to vehicles in the perimeter of the circle and therefore is unable to vacate the public right-of-way median circle. The on-street parking in the circle is a negotiated agreement between BCDC and the City for its BCDC Permit No. 1989.014.05.

The placement and operation of the staffed kiosk would create other concerns as well. More specifically, it would reduce the necessary efficiency of the circle for traffic flow and could create a serious safety issue if vehicles queued onto the active railroad tracks. Thus, the proposal is not compatible for public health, safety and general welfare. In addition, the City does not want to set a precedent in granting or licensing the use of public right-of-way for private use for a security kiosk.

As discussed at the meeting as well as recommended in the July letter, the HOA may choose to explore the placement of the kiosk outside of the public right-of-way on private property such that public access will be unencumbered. The kiosk should not be placed in the path of pedestrians per BCDC's requirement for public access. The kiosk should also not be placed on Bayfront Drive due to the public access requirement as well as the need to maintain emergency access. Our review of the Heron Bay Subdivision Map Tract 6810, shows that there appears to be approximately 22 feet available along the property line closest to Bayfront Drive (see attached annotated plan in which a possible location is highlighted in yellow). The remaining 20 feet westward is encumbered with two easements: a 10 foot wide strip to EBMUD (blue) and a 10 foot wide Public Utility Easement to the City (pink).

The other alternative is the placement of gates on the Bayfront Drive side streets: Heron Drive, Harbor Way, Oceanside Way, and Anchorage Drive. The proposed gates should be setback from Bayfront Drive so as not to have any deterrent view along Bayfront Drive for Bay Trail users including pedestrians and bicyclists. It must be noted, however, that the City's General Plan policy is

Pauline Russo Cutter, Mayor

City Council:

Deborah Cox

Benny Lee

Corina N. López

Jim Prola

Ursula Reed

Lee Thomas



to not gate residential communities and the Planning Commission would need to review to approve this approach.

The HOA may want to consider a phased approach in which the proposed license plate cameras/readers are installed on private property for safety and security measures for the neighborhood. You may find this a sufficient deterrent.

If you have any questions regarding this information provided, please contact Elmer Penaranda, Senior Planner, at epenaranda@sanleandro.org or 510-577-3314.

Sincerely,



Cynthia Battenberg, Director
Community Development Department

Attachment: Tract 6810, annotated for alternative

Cc w/ atth: Keith Cooke, Director, Engineering and Transportation Department
Debbie Pollart, Director, Public Works Department
Michael Stella, Principal Engineer
Tom Liao, Deputy Director, Community Development Department
Maggie Weber, Enforcement, Coastal Program Analyst II, BCDC
Adrienne Klein, Chief of Enforcement, BCDC
Phillip Toste, Associate Engineer
Elmer Penaranda, Senior Planner